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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/761,209

01/22/2004

William H. Wayman

117442

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07/20/2006

OLIFF & BERRIDGE, PLC.

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ALEXANDRIA, VA 22320

EXAMINER

ROYER, WILLIAM J

ART UNIT

PAPER NUMBER

2852

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/761,209	WAYMAN, WILLIAM H.	
	Examiner	Art Unit	
	William J. Royer	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-13 and 15-18 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Applicant is advised that the Notice of Allowance mailed May 26, 2006 is vacated. If the issue fee has already been paid, applicant may request a refund or request that the fee be credited to a deposit account. However, applicant may wait until the application is either found allowable or held abandoned. If allowed, upon receipt of a new Notice of Allowance, applicant may request that the previously submitted issue fee be applied. If abandoned, applicant may request refund or credit to a specified Deposit Account.

Prosecution on the merits of this application is reopened on claims 1 and 2 considered unpatentable for the reasons indicated below:

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Folkins (European Patent Application 0 533 347 A2). Referring to Figure 3, a developer apparatus 38 (i.e., developer unit) is shown. The developer apparatus includes a donor roll 40 (i.e., donor member), spaced from a belt 10 (i.e., image receiving member), for transporting marking particles to a development zone adjacent the belt; and electrode wires 42 (i.e., electrode) positioned in the development zone between the belt and the donor roll. An asymmetrical voltage source 48 (i.e., voltage supply) electrically biases

the electrode wires during a developing operation with at least an alternating current voltage and a direct current voltage to detach marking particles from the donor roll, forming a cloud of marking particles in the development zone, and developing a latent image with marking particles from the cloud. It is disclosed that the critical aspect of the voltage source is its asymmetry, so whether the underlying waveform to be skewed is a square wave (i.e., substantially square shapes) or a sine wave is not important.

Response to Arguments

Applicant's arguments filed March 13, 2006 have been fully considered but they are not persuasive.

The applicant argues that Folkins discloses a device in which only an AC electrical bias is applied to electrode wires 42 (See Fig. 3 and col. 6, lines 23-28). Further, applicant argues that Folkins also discloses DC bias supply 50, however, such a DC bias supply is not provided to the electrode wires 42. Furthermore, applicant argues that Folkins does not disclose or suggest supplying a DC electrical bias to the electrode wires and therefore Folkins does not disclose a voltage supply that electrically biases an electrode during a developing operation with an alternating current voltage and a direct current voltage, as recited in claim 1.

The above arguments appear to be incorrect. Note that col. 6, lines 46-52, state: In addition to using the above described asymmetric voltage source, another way to reduce oscillation is to shift the DC component of the wire from the normally used donor roll voltage toward a value which corresponds to the voltage on top of the donor roll's

toner layer. Further, in col. 7, lines 52-57, it is stated: an asymmetrical bias is applied to the electrode wires via an asymmetrical voltage source superimposed by a DC voltage source for the purposes of detaching toner from the donor roll and attracting toner to the photoconductive belt. Furthermore, Claim 4 states: wherein said electrical biasing means (48) applies, relative to said roller, a DC electrical potential and an asymmetrical square wave on said electrode member. Consequently, the above noted recitations in Folkins appear to prove applicant's arguments to be incorrect.

Allowable Subject Matter

Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3-13 and 15-18 are allowable over the prior art of record.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Royer whose telephone number is (571) 272-2140. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



William J. Royer
Primary Examiner
Art Unit 2852

wjr
June 16, 2006